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*Admitted only in Maryland
*Admitted only in Virginia
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•Practice Limited to
Federal Agencies

#7
1/02/03

December 26, 2002

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Commissioner for Patents
Washington, D.C. 20231

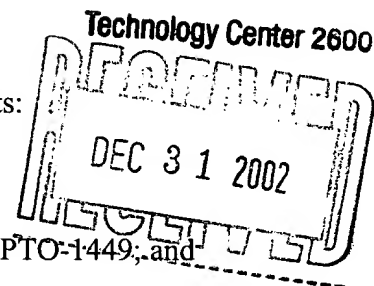
Art Unit 2631

Re: U.S. Utility Patent Application
Appl. No. 09/973,872; Filed: October 11, 2001
For: **Efficiently Transmitting RTP Protocol In A Network
That Guarantees In Order Delivery Of Packets**
Inventor(s): BUNN et al.
Our Ref: 1875.0670001

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement;
2. Form PTO-1449 listing **THREE (3)** documents (1 page);
3. Copies of the **THREE (3)** cited document(s) as listed on Form PTO-1449; and
4. One (1) return postcard.



It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert Sokohl
Attorney for Applicant
Registration No. 36,013

RES/mjg
Enclosures

SKGF_DC1:87485.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BUNN et al.

Appl. No. 09/973,872

Filed: October 11, 2001

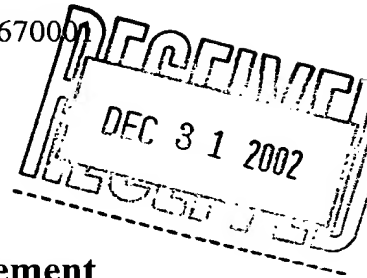
For: **Efficiently Transmitting RTP
Protocol In A Network That
Guarantees In Order Delivery Of
Packets**

Confirmation No. 7049

Art Unit: 2631

Examiner: To Be Assigned

Atty. Docket: 1875.067000



First Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

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Technology Center 2600

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this **First Supplemental Information Disclosure Statement** is a continuation of the numbering in Applicants' **First Information Disclosure Statement** filed on **July 11, 2002** in connection with the above-captioned application. A copy of each document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97((b)). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR **before the mailing date of a first Office Action on the merits** OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of

a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form **[OR]** Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- 5. The documents were cited in a International Preliminary Examination Report (IPER) issued by the U.S. International Preliminary Examining Authority in a counterpart International application. Submission of an English language version of the IPER that indicates the degree of relevance found by the U.S. PCT office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert Sokohl
Attorney for Applicants
Registration No. 36,013

Date: 12/26/02

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.
1875.0670001APPLICATION NO.
09/973,872

APPLICANT: BUNN et al.

FILING DATE: October 11, 2001

GROUP: 2631

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|-----|-----------------|---------|---------|-------|-----------|-------------|
| | AA1 | | | | | | |
| | AB1 | | | | | | |
| | AC1 | | | | | | |
| | AD1 | 6,295,481 | 09/2001 | Price | | | |
| | AE1 | 6,438,123 | 08/2002 | Chapman | | | |
| | AF1 | | | | | | |
| | AG1 | | | | | | |
| | AH1 | | | | | | |
| | AI1 | | | | | | |
| | AJ1 | | | | | | |
| | AK1 | | | | | | |

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FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB-CLASS | TRANSLATION |
|---------------------|-----|-----------------|------|---------|-------|-----------|-------------|
| | AL1 | | | | | | Yes No |
| | AM1 | | | | | | Yes No |
| | AN1 | | | | | | Yes No |
| | AO1 | | | | | | Yes No |
| | AP1 | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

| | | | |
|--|----|---|---|
| | AR | 1 | |
| | AS | 1 | |
| | AT | 4 | International Preliminary Examination Report, dated November 25, 2002, issued by the U.S. PTO, PCT. |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.